G. R. S. IX-5]

Previous references.
Misc 23-01(1-4)
Ab. 341-16(1-2)
Instr. 32-17(1-4)

Later references.
I. dep. no. 1384-21.
Ab. 116-22(1-2)
80-23-8.
Law 139-33-143
" 2-33-1718

192 0.
(Ab.)

File No. 181-20.
Serial Nos 1-19.

Preserve
B/
17.1.43

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. Nineteen

Part B for November 1921

SUBJECT.

Revision petition against the discharge order passed by Mr. R. Bosquet, Justice of Peace, in a Criminal case against A. Lazaro, K. G. H.

8(19) To The Supdt., Lepers Gold Mining Co. Ltd Kuppam, K.G.H.

No. J 2377 of 11.11.21.

Govt. States that they do not propose to move the High Court to allow the prosecution to be conducted by a private Vakil as it is not likely that their application will be granted

G. R. S. 11) 1920-21

GENERAL AND REVENUE SECRETARIAT.

(Ct)

NOTES.

File No. 181-20.

FILE HEADING.

Revision petition against the discharge order passed by Mr R. Bourne I.C.S. in a Criminal Case against A. Lazro R. & F.

From

The ~~A~~ The District Magistrate, Kolar

No. R.J.C 623/20-21 Dated 7-2-21. Received 10-2-21

Diary No. 17205	Enclos. 1 file Spare Copies.	Serial No. 1

BRIEF ABSTRACT OF LETTER.

Forwards a memo of the Govt. Pleader in the Criminal Case against A. Lazro R. & F. together with Copies of the discharge order ~~Copies~~ Statements of Prosecution witnesses

NOTES AND ORDERS.

and requests that arrangements may be made to apply to the High Court of Madras for revising the order. Said. This is a Case in which one A. Lazro, an employee of the

NOTES—First Sheet.

Serial No.

Mining Company but in which was dismissed later on was accused of the offence of making false entries in an accounts book with a view to defraud the Company. Mr. R. Bocquet J.P. in R.G.T. finding that there is no sufficient evidence to incriminate the accused, has discharged the accused on the ground that no prima facie case can be made out against him. The D. Magistrate has now sent the memo prepared by the Superintendent showing the grounds of appeal against the discharge order passed by the J.P. together with the statements of the prosecution witnesses and requests that steps may be taken to move the Madras High Court to revise the order

2) As regards precedents,

General and Revenue Secretariat. | To File No. 161 of 1920.

Serial No.	
136-06-1-13 (Judicial).	in Sivakasi poisoning Case which was tried by Mr. H. H. Sparkes in his Capacity as Justice of the peace, a revision petition was preferred to the High Court Madras against the order of discharge passed by him. It does not appear to be necessary that the action should be taken through the Residency, as in the Case above mentioned & the Vakil who appeared for the Govt. was directly Communicated with. In regard this point Kind attention is invited to the Govt Secy's notes in pages 3 to 6 of Pt 32-17-1-6. If appd, the Govt Advocate's Opinion will be called for whether there is a fit Case for moving the Madras High Court to set aside the discharge order.
F	

NOTE.—Contn. sheet.

ESS 11/3/21

3) If it is decided to file a

Serial No.

revision petition before the Madras High Court either the Govt Pleader, Madras, or some other High Court Vakil will have to be engaged for the purpose, as was done in the Swaminadam case referred to.

App 14/2 The time for filing revision appn is stated to expire on the 10th March.

4) In this case copy of the written comments to the Notice (Ext: P19) and Copies of Exhibits have not been received.

5) The records disclose some shortcomings in the Prosn evidence, and the G.P. has not consulted the Govt Advocate.

6) If asked, the opinion of the Govt Adv: will be invited R.O.

Submitted for orders
D.M.
16/2

III Member 7) Yes. This may be done as soon

16/2

4253
16.2.21

R.O. No 48.

8) Forwarded R.O. with Compliments to the Govt Advocate, for favour of opinion

B.O.
Mahadevaya
2---
In Revision Govt
18/2

NOTE—Contn. sheet.

General and Revenue Secretariat. | C/5 File No. 181 of 1920

Serial No.

No 129/170/920-21.
21.2.921

GEN & REV. SECTT
21 FEB 1921
34634

A correct Estimate of the oral Evidence can only be formed by a reference to the original exhibits, but the Evidence Given such as it is, affords fairly good grounds to presume that the accused had no materials in Ex: T(12) to support the Entries which he admitted made in Exs T(10) & T(11) - His Explanation that the basis for the disputed entries was furnished either by chits or by verbal instructions is not proved. Indeed the Evidence of PWs 3, 4 & 5 suggest the Contrary. According to these witnesses the disputed items which are stated to refer to packwalling, should have in the ordinary Course found their way in Ex T(2) if they were genuine, but as a matter of fact they have not. Exs T(13), T(14) & T(15) are receipts given by the Contractor acknowledging receipt of money due for the Disputed items of work & they there are further Corroborated by the pay sheets Exs T(16) & T(17). There is thus a prima

NOTE.—Contn. sheet.

G. R. S. I

General and Revenue Secretariat.

14205

Ch File No. 181 of 1920

Serial No.

facie Case made out against the accused & the order of discharge appears to me to be incorrect. The result will be the same even if the 7(10) is excluded from Consideration —/

B Bonnerjee
Solicitor

20. 2. 21

4885
22. 2. 21

Submit for orders
Hon
24/2

III Member

D. M.
22/2

10) Whether the discussion in Ltrs no 23 of 01-02 as to whether the proceedings can initiate an appeal directly in the H. C. Court against the order & acquittal of a Justice of the Peace -

~~Necessary of immediately~~

11) What was the procedure adopted in the present case? The file ~~is~~ states that when the accused, the whether any reference of the Residency was made or not can be easily found out from the Registers.

Ltrs
23/2

D. M.
24/2

NOTE—Contn. sheet.

G. R. S. III-2]

17205

General and Revenue Secretariat. | C.S. File No. 181 of 1920.

Serial No.

X

12) Extract from the entries in the file Register about the Sivasaramudram poisoning Case, put up below shows that Mr Sankaran Nair was addressed direct Exs 25/2/21 on the occasion

25/2 13) Put up draft letter at once to the Govt Pleader Madras to file a Revision Petn before the Madras High Court, sending him the necessary papers &c. Note that the time for filing the petn expires on the 10th March

25-2-21

14) Called with a draft.

Exs 15) 25/2/21 Copies of exhibits are not sent by the Dr Magte. He may be asked to send them later on to the Govt Pleader direct.

25/2 16) Yes. This may be done. Draft letter put up for appl.

3rd member 17) This may be done through the Govt Advocate at once who may file his brief with a brief & the charges & settle his fees.

25.2.21.

4985
25-2-21

NOTE.—Contn. sheet.

General and Revenue Secretariat. | File No. of 19

Serial No.

18) Issue at once (today). Keep clean draft as revised in file

26.2.21

19) The Govt. Advocate's D.O. reply into of the 3rd member's remarks thereon, is placed in the file. I had a talk with the Govt. Advocate, as suggested therein. He considers (1) that it is advisable to ask the Mining Board themselves to take up the case in appeal to the Madras High Court, as they have offered to take it up, if permitted, or (2) that if, on the other hand, Govt. desire to take up the appeal, themselves, then the best course will be to entrust the case to the Govt. Advocate as suggested by him already. No other arrangement would be suitable.

20) The Govt. Advocate wants a reply before the 2nd ~~Instt~~ March.

21) A draft letter asking that the Mining Board may be permitted to take up the appeal, and to intimate them, having agreed ~~to appeal~~ to do so, is put up for sign. A reply will be obtd

8(2) To the Govt. Advocate in Mysore
No. G. 16753 dt 26-2-21.
Requests him to arrange with some suitable Lawyer at Madras to file a revision-petition before the Madras High Court.

8(3) To the Govt. Advocate
D.O. no. 48 dt 28-2-21.
Intimates that Mr. C.P. Ramaswami Iyer, Advocate General of Madras is expected here on the 2nd prox.t proposes to entrust the case to him.

not approved hence destroyed

NOTE—Contn. sheet.

G. R. S. III-2]

1705

General and Revenue Secretariat.

C/5 File No. 181 of 1920.

Serial No.

before tomorrow evening, and any further action necessary, may be taken on the 2nd Proxo

3rd member)

28/2/21

2) No. N. is not right in principle when the Municipal Board while the Renewal Petn — the case is a criminal case and the Petn as the person aggrieved by the order in the matter. You the Advocate General may be allowed if the Govt Pleader thinks that no other lawyer can be engaged. The draft which has been submitted regarding his capacity for the purpose while petitioning the Hon'ble Judges be cleared —

28/2

Rec: 28/2

23) Issue draft D.O. to the Govt Advocate at once.

1.3.21.

24) Mr. Adams by 4 p.m. today

1/3/21

Rec'd 1/3/21

NOTE—Contn. sheet.

G. R. S. III-2)

1265

General and Revenue Secretariat.

C/5 File No. 181 of 1920.

Serial No.	
4	To The Government Advocate in Mysore. No. G. 16881 Dt 1-3-21. Approves the suggestion of entrusting the case to Mr. C. P. Ramaswami Iyer and expects a reply to-morrow after speaking to him. 25) Resubd with reference Para 15 supra. Instructions of the Dr. Khan may be asked to send copies of exhibits to the Govt Advocate 1/3 26) yes. A draft shd have been put up with orders of the Revenue Secy. Please do so now & bring up in person 1/3 27) Draft sent. It was not clear when the exhibits are to be sent by the Dr Naqte, instructions was solicited in the matter before a draft could be put up 2/3 28) Draft put up for appl 2/3 Rev: Secy 29) Issue above 2.3.21. 2/3

2d 5.15

NOTE—Contn. sheet.

G. R. S. III-21

General and Revenue Secretariat. | cls File No. 181 of 1920.

Serial No.

5 To

The District Magistrate, Kolar.

No. G. 17016 Dt 2-3-21.

States that the Govt. Advocate has been instructed to arrange for the filing of the revision petition & requests to obtain & send two copies of exhibits in the case to the Govt. Advocate.

6/ From

The Dist magistrate, Kolar dist

no. K.J.6. 623/21-4 Dt 6th April 1921

With reference to the above stated that the S.S.P. of K.G.F. reports that Mr. Govindaraghavan Advocate of Madras has been engaged by the Mining Board to file a revision petition in the case and that, as there is no time to obtain fresh order of Govt. he has issued instructions to the Prosecuting Inspector to proceed to Madras with Mr. Shamia Rao, Mining Board pleader, to avoid delay

7(7) To the Govt Advocate
Sctt Do. no G. 19343/ 11-4-21.
Enquires what action has been taken in the matter.

Contn. sheet.

Init → 30) The Govt Advocate has not reported
8/4 what action he took after receipt of this Memi Do letter of 1-3-21. The circumstances under which the Mining Board engaged a Vakil in Madras for filing the revision petition are not also clear. Kind reference is invited to the Memoranda in paras 2 & 3 above.

Asst Sec. 8/4 Dy Sec. 8/4

G. R. S. III-2]

General and Revenue Secretariat.

File No. 181 of 1921.

Serial No.

31) For perusal. This seems somewhat extra-ordinary. The Govt. Advocate will be asked to state at once, what action he has taken on our ref^a, the Copy of the letter now recd. from the District Magistrate of Kolar being also sent to him for information.

5762 8-4-21

32) 3rd member) I may state that the Address 874/21. was not received in my office. 8/4

33) It appears also that the District Magistrate's letter may be withdrawn & his action may be enquired.

34) Draft please by 4 p.m. to-day 11/4

35) Two diffs. drafts 11/4.

36) Mysore Address to-day 11/4

9

The Govt Advocate D.O. No. 56 of 18/4/21 states that M. C. P. Ramaswamier to whom he entrusted the case after fixing his fee at Rs 350-00 a day, files the Petition last month and that the case is reported to be

8) The Dist. Magt., Kolar No. G. 19344 D/11-4-21. acknowledges this letter & states that action has been taken by him.

12/11/4

NOTE—Contn. sheet

21691

G. R. S. III-2]

General and Revenue Secretariat. | Mis File No. 18 of 1922.

Serial No.

brought on for hearing before the end of this month.

37. It is seen from the letter that messrs. Govinda Rajhavier & Veeraraghava Iyer whom the Mining Board have engaged will appear for the Case along with Mr Rama Iwamy Retd for personal

D. M. 19/4.

19/4. Reminder by 3rd Member hm 19.4.21

D. M. 19/4

38. The District Magistrate of Kolar may be informed accordingly

Mis 20/4/21 hm

5930/21

39. Draft/Memo to-day

D. M. 20/4

M. 19/4 26/4/21 Retd. D/L Retd. 19/4. 20/4

Lr. I issued D. M. 20/4

10 To

The District Magistrate, Kolar.

No. G. 19865 Dt 20-4-21.

States that the Govt. Advocate reports that the revision petition was filed last month by Mr. C. P. Ramaswamier, Advocate General of Madras on behalf of Govt. & that Mr.

NOTE—Contn. sheet.

25433
21691

G. R. S. III-2]

General and Revenue Secretariat. | C5 File No. 181 of 1920.

Serial No.

Ramaswami Iyer will act in concert with messrs. A. Govindarajulu Iyer & A. S. Veeraraghava Iyer, who have been engaged by the Mining Board.

From

11 The Govt. Advocate.

Letter no 358 dt 6-6-1921.

States that a sum of Rs 70/- has been sent by M.O. to Mr C.P. Ramaswami Aiyar on the 25th April 1921 and ~~repeats~~ for meeting the printing and other charges and requests that arrangements may be made for the payment of the amount together with the M.O. commission of annas twelve, to this office

42) Submitted with a draft Sanctioning

8/6/21 18/6

Recd

18/6

43) Issue

18.6.21 42 9 sets

19/6

9/8/21

12 The Comptroller & The Govt. Advocate.

No. C5. N & G. dt 21-6-21.

Sanctions the payment of the amount viz Rs 70-0-0 to the Govt. Advocate on account of printing &

NOTE—Contn. sheet.

G. R. S. III-2]

General and Revenue Secretariat. | Cts File No. 181 of 19 2021.

Serial No.	
	other charges in connection with the filing of a Revision petition in the High Court sent to mr. C.P. Ramaswamy Iyer.
13	From the first Advocate Letter no 360 dt 17.6.1921 Forwards a letter dt 24.5.1921 from mr C P Ramaswamy Iyer Advocate general of Madras and requests that arrangements may kindly be made to pay him his dayfee of Rs 3.50 for having appeared for admission together with a sum of Rs 80/- for payment of printing Charges etc Submitted (45) A sum of Rs 70/- was already been sanctioned for printing charges (Vide st-12). It seems that the amount of Rs 80/- asked for is in addition to the amount of Rs 70/- referred to, as the letter of mr. C P Ramaswamy Iyer is dated 24th May 1921 and the amount of Rs 70/- had been sent to him on 26th April 1921 Submitted with a draft for orders SV 29/6/21 (46) Mrs C.P. Ramaswamy Iyer has not been replied to the receipt of Rs: 70/- sent to him by our Cy dt. by M.O. (47) Please ascertain from the Cy. & S. Offices amt of printing charges & the exact charges. D.M. 1/7

NOTE—Contn. sheet.

G. R. S. III-2]

General and Revenue Secretariat.

C5 File No. 181 of 1921

Serial No.

(4) Submitted with a draft for approval

D. M. 5/7/21

Revised

4a May issue —

7.7.21.

D. M. 7/7

14 To the Govt. Advocate

No. 133 dt. 9.4.1921

Invites reference to 3&1 and enquires what the total printing charges are and whether the Advocate General has any objection to send one consolidated bill towards his fees after the case is disposed of.

12 JUL 1921

Sir A.

15 From the Govt. Advocate

Letter No. 175 dt. 5-10-21

Forwards with reference to the above a copy of letter received from Mr. C. P. Ramaswamy Ayyar, stating that a sum of Rs. 11-12-0 is still due for printing charges after crediting the amount of Rs. 70/- sanctioned and that he raised his fees for a day together with the services of a junior to assist him in the work comes to Rs. 600/- per day, and that he will send a consolidated bill after the disposal of the case

NOTE—Contn. sheet.

(17

1472

G. R. S. III-2]

General and Revenue Secretariat. | C 15 File No. 181 of 1920-21

Serial No.

50 Lubd. Mr. C. P. R. now requires a junior to help him. It is not known whether the fee for the junior viz Rs 250/- is for the disposal of the case or for each day of attendance in the disposal of the case. From the wording it seems that the fee for the junior is for the whole case submitted for orders. This may be made clear perhaps.

2.10.21 8/10

51) The fee is Rs 1000 for the entire case. It is a point for consideration whether this was bargained for.

Genl Secy) Cag 8/10

52) The Mining Board have engaged Messrs. Govindaraghava Iyer & Veeraraghava Iyer; and Mr. C. P. Ramaswami Iyer appears for Govt. Whether, for this simple revision case, a junior is required, in addition, for the Hon'ble C.P.R., is doubtful. This may be pointed out, and the Adv. Genl. informed that the consolidated bill will be awaited

2460 9.10.21

3rd member) 9.10.21 Cag 9.10

NOTE—Contn. sheet.

15

1472

G. R. S. III-2]

General and Revenue Secretariat. | C&S File No. 187 of 1920-21.

Serial No.	
2469	53) The case appears to have been despatched by the Advocate General paid all the fees & has given up the case as engaged. Submitted. 24/10
	C&S 26/10
16	From The Govt Advocate Letter No 184 dt 19.10.21 Forwarding the bill of charges received from Mr. C. P. Ramaswamy Ayyar for conducting the Criminal Revision Case in the High Court.
	54) The bill of charges comes to Rs 963-8-0 if correctly calculated. The printing charges as stated in the bill comes to Rs 842-4-0 and after deducting the amount of Rs 70/- sent therein, the balance to be paid ~~as it is now to~~ would be Rs 12-4-0. But in a previous letter Mr C.P. Ramaswami Ayyar has stated that ~~Rs 11-12-0~~ Rs. 11-12-0 had to be paid by them after deducting the amount already sent. The amount now sanctioned as per draft is for Rs 11-12-0 plus other charges. There is not much difference after all between the bill sent and the amount sanctioned. Submitted with a draft for orders.
	55) For approval.
	3rd member) 56) Issue. 27.10.21
	57) Issue. Copy

NOTE—Contn. sheet.

2640 27-10-21 26/10

R. S. III-2]

General and Revenue Secretariat. | File No. of 19

Serial No.

No. 576/0.21-22

P. 11. 0.21

9 - NOV 1921

61)
Under S. 270 Criminal procedure code any trial before a Court of Session must be conducted by a Public Prosecutor.
The Public Prosecutor may avail himself of the services of any Pleader engaged by the Complainant. (11 B. H. C. R 102).
Under S. 493 Criminal Procedure Code "If any private person instructs a Pleader to prosecute in any Court any person in any such case, the Public prosecutor shall conduct the prosecution and the Pleader so instructed shall act therein under his directions.

62) If the Crown Prosecutor is agreeable as suggested in the letter under reference I believe the matter can be arranged between him and the Vakils (with the Consent of the Court) so that the Vakils may conduct the prosecution, this however can only be decided finally on an official reference to the Crown Prosecutor. Perhaps the Vakils could be asked to arrange matters formally with the Crown Prosecutor. This seems to be the only feasible course to be

NOTE—Contn. sheet.

G. R. S. III-2]

General and Revenue Secretariat.

1957

File No. 187 of 1921.

Serial No.

must their circumstances, for the decision
lies in their High Court to make ~~the~~ such
reasonable allowance in the
conducted by a private Vakil as it is not
likely that their application will be granted.
There is no objection whatever to your
receiving instructions from the Vakil
of the Company and if the Company so
desires, they might certainly instructed in
his matter

Chr
10/11/21

65) Draft Please.

Cmy
10.11

(5)
66) Submitted with draft

10.11.21

67) Issue. Cmy
10.11

19 To The Supdt,
Kolar Gold Mining Co.
Marikuppam P.O.

No. 2344 Dt 11.11.1921

States that Govt do not
propose to move the High Court to allow
the prosecution to be conducted by a
private vakil as it is not likely that

NOTE—Contn. sheet.

G. R. S. III-2]

General and Revenue Secretariat. | File No. 181 of 1920

Serial No.

their application will be granted

NOTE—Contn. sheet.

24

17205

Office of the District Magistrate,
Kolar District, 20-21

No.R.J.C,623 Dated Camp Chickballapur the 7th Feb. 1921.
20-21. 18/20

GEN & REV. SECTT
10 FEB 1921

From

52111 Mr. Zahiruddin Mecci, Esquire., B. A.
District Magistrate, Kolar District.

To

B. Ramaswamaiya, Esquire., B.A., B.L.,
Secretary to the Government of His
Highness the Maharaja of Mysore,
Revenue Department,. Bangalore.

I have the honour to submit herewith a Memo of the grounds of appeal in the marginally noted case disposed of by Mr. R. Boequet, Justice of the Peace in Mysore, with copies of discharge order and the Statements of the witnesses, (received from the Superintendent of Police, Kolar Gold Field) and to state that I am in entire agreement with him in considering that the discharge order passed by the Justice of the Peace has resulted in a serious mis-carriage of justice and that the case is a fit one for revision. The Superintendent, Mysore Gold Mining Co., who had engaged the Company's Counsel Mr. M. G. Shama Rao a local Pleader of Bowringpet to assist the Prosecuting Inspector in the prosecution of this case against the accused also agrees in this view.

Case No. 1 of 20-21.
Govt. vs. A.Lazro.

2. For the above reasons, I beg that Government may be pleased to take necessary action in consultation with the Government Advocate to have the order of discharge revised by the High Court of Mysore. If the Government

Mysore are not willing to take action in the matter, I am informed by the Superintendent of Police, Kolar Gold Field, that the Superintendent of the Mysore Gold Mining Company is prepared to undertake the task in the interest of the Company, if the Government kindly permit him to do so in their name.

3. The order of discharge was passed on the 11th -- ultimo, and as the revision has to be filed in the High Court of Madras within two months from that date, I beg that Government may be good enough to take very early action and pass -- necessary orders in the matter, treating the same as one of -- urgency

I have the honour to be

S i r,

Your most obedient servant

District Magistrate,
Kolar District.

S.G.P.

G. R. S. VI—G/32]

SUBJECT.....

Diary No. of letter replied to——

Section C5

File No. 181-26

Serial No

General and Revenue Secretariat

(No.

the *191* .

Date of issue——

To. Advocate

The Govt. ~~Pleader~~,

Bangalore

~~Madras~~

Signed by——

Sir, I am directed to ~~forward~~ forward a copy of herewith ~~the a memo~~ ~~showing the grounds~~ of ~~appeal together~~ with ~~the prosecution evidence and~~ the discharge order passed by Mr. R. Bourne Justice of the Peace

over.

K.G.7

in the case, Nyaore
Govt. Co. A. Lazero, ~~I am~~
~~directed to enquire~~ request you to kindly ~~state~~
~~whether you can take~~ arrange with some
~~steps~~ to file a revision suitable lawyer in Madras
petition before the
Madras High Court
~~and also to request you~~
~~to intimate your~~
~~views in your reply.~~

together with the statements of prosecution witnesses & a memo setting forth the grounds of appeal, and to,

at once, settling the fees to be paid to him. If you wish to file the application the terms on which you will take up the case may also be intimated. Necessary action may be taken ~~as requested~~ as the delay in the matter

Please do so
25.2.21.
Revision

time for filing revision petition expires on the 10th March

25/2/21
AGO
25/2

List of enclosures.

Copied by

Examined by

A 31

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE,

GENERAL AND REVENUE SECRETARIAT,

Dated, Bangalore 6/1/192

No. 716753 / S 18-20-2

From

B. Ramaswamaiya Esq., B.A., B.L.,

Chief Secretary to the Government of His Highness the Maharaja of Mysore.

Revenue Department.

To

C. S. Doraswamy Iyer Esq., B.A., B.L.,

Government Advocate in Mysore.

Sir,

I am directed to forward herewith a copy of the discharge order passed by Mr. R. Bocquet, Justice of the Peace, Kolar Gold Fields in the case Mysore Government vs A. Lazro together with the statements of prosecution witnesses and a memo setting forth the grounds of appeal and to request you to kindly arrange with some suitable Lawyer in Madras to file a revision petition before the Madras High Court at once,, settling the fees to be paid to him.

Necessary action may be kindly taken immediately in the matter as the time for filing the revision petition expires on the 10th March.

I have the honor to be,

Sir,

Your most obedient servant,

(Sd) B. Ramaswamaiya

Secretary to Government

Revenue Department.

Fair Draft

29
Cans 781-20
87-no. 3

Office of the
Government Advocate in Mysore,
BANGALORE, 28th February'21.

Dear Mr. Ramaswamiah,

I am in receipt of your letter No. G 16753, dated the 26th February 1921, asking me to arrange for filing a Revision Petition in the Madras High Court against the decision of Mr. R. Bocquet, (Justice of the Peace) discharging the accused. Mr. C. P. Ramaswami Iyer, Advocate General of Madras, is expected here on the 2nd proximo in connection with a case in the Chief Court and I propose entrusting the case to him. I shall write to you again after speaking to him.

Yours sincerely,

B. Ramaswamiah Esq., B.A., B.L.,
Secretary to Govt., Revenue Deptt.

G. R. S. VI—G/32]

SUBJECT.....

.....

.....

Diary No. of letter replied to.....

GENERAL AND REVENUE SECRETARIAT,
( )
, *the* 191 .

Date of issue..... 1/3

Signed by..... Mr Kan

RR

Section Courts
File No. 187-20
Serial No. 4

No. G 16881

To

C. S. Ramanathan Esq KC
Govt. Advocate in Kandy

Dear Mr Ramanathan Esq.

In reply to your D.O. Letter No 48 of yesterday's date, re the filing of a Revision Petition in the Madras High Court agst the decision of Mr R. Bocquet (Justice of the Peace) I am desired to say that (You may kindly speak to) Mr C. P. Ramanathan Esq., the Advocate General may be instructed with the case, as proposed, with for—

over.

entrusting the case to him. ~~Instr~~

It is noted that you will write after speaking to him tomorrow.

Yours Sincerely

H

1.3.21.

List of enclosure

Copied by

Examined by

WD 86—GPB—60,000—15-11-16

G. R. S. VI—G/32]

SUBJECT.....

.....

.....

Diary No. of letter replied to.....

General and Revenue Secretariat

( )

, *the* 191 .

Date of issue.....

Signed by.....

Section

File No.

Serial No

No.

To

The Dt. Magte

Kolar Dt

Sir,

With reference to your letter No R.J.C 623/20-21 dt 2-2-21 requesting that necessary action may be taken to file a revision petition in the High Court of Madras against the Dt. Magte order

over.

of the Justices of the Peace in the case ~~no 22~~, Mysore Govt. v. Ranga, I am directed to state that the Govt. Advocate has been instructed to arrange for the filing of the revision petition.

I am to request that two copies of extracts in the case may be obtained & sent to the Govt. Advocate direct, without delay.

I have &c.

2/3 for Registrar.

List of enclosures.

Copy to Govt. Advocate.

Copied by

Examined by

56/2/3

DIARY No. 21.101

Office of the District Magistrate,
Kolar District.

No. A.C.623/20-21. Dated, Kolar, the 4th April 1921.

181-20

GEN & REV. SECTT
7 APR 1921

From

Md. Zahiruddin Mecci, Esq., B.A.,
District Magistrate, Kolar District.

68675

To

B. Ramaswamaiya, Esq., B.A., B.L.,
Secretary to the Government of
His Highness the Maharaja of Mysore,
Revenue Department, Bangalore.

Sir,

With reference to your letter No.G.17016/Cts.181-20-5 dated 2nd March 1921 intimating that the Government Advocate has been instructed to arrange for the filing of the revision petition in the High Court of Madras against the order of discharge in C.C.No.1 of 20-21 (Government Vs. A. Lazro) on the file of the Justice of the Peace in Mysore, Kolar Gold Fields, I have the honour to state that the District Superintendent of Police, Kolar Gold Fields, reports in his letter No.666 dated 22nd March 1921 that Mr. Govindaraghavier, Advocate of Madras has been engaged by the Mining Board to file a revision petition in the case and that as there is no time to obtain fresh orders of Government, he has issued instructions to the Prosecuting Inspector to proceed to Madras with Mr. Shama Rao, Mining Board Pleader, to avoid delay.

In view of the circumstances set forth in the letter of the District Superintendent of Police (Copy enclosed), I request that the case may kindly be allowed to proceed as represented therein.

I have the honour to be,
Sir,
Your most obedient servant,

District Magistrate,
Kolar District.

From

The District Magistrate,

Kolar District.

To

The Secretary to the Govt.

His Highness the Maharaja of Mys

Revenue Department, Bangal.

Dated 4th April 1921.

Despatched

General No. C.C.625/20-21.

Re: the filing of the revision petition in the High Court of Madras against the order of discharge in C.C.No.1 of 20-21 on the file of the Justice of the Peace, K.G.F.

Letter No.686 dated 22nd March 1921 from the Superintendent of Police, Kolar Gold Fields, to the District Magistrate, Kolar District.

With reference to your Memo No.C.423 dated 4th March 1921 forwarding copy of letter No.G.17015-Cts.181-20-5 dated 2nd March 1921 from the Secretary to the Government requiring that copies of exhibits in case No.1 of 20-21 (Government Vs. A. Lazio) on the file of the Court of the Justice of the Peace in Mysore, Kolar Gold Field (Mr. R. Bocquet) may be forwarded direct to the Government Advocate, I have the honour to state that the Prosecuting Inspector reports that Mr. Govindaraghavier, Advocate, Madras, has been engaged by the Mining Board, to file a revision petition in the case, that Mr. Shama Rao, Mining Board Pleader, has ~~aksed~~ asked the Prosecuting Inspector to go with him to Madras on the 24th instant. In this connection I have the honour to add that as there is no time to make further reference to Government to obtain fresh orders, I have this day issued instructions to the Prosecuting Inspector to proceed to Madras with Mr. Shama Rao to avoid delay and do the needful. The exhibits relating to the case are also sent to the Government Advocate with the intimation that it is learnt that the Mining Board have engaged the services of Mr. Govindaraghavier to file the revision petition.

" C o p y "

District Magistrate
Kolar District.

SM.

G. R. S. VI—G/32]

2 36

SUBJECT.....

.....

.....

Diary No. of letter replied to 2101

General and Revenue Secretariat

( )

, the *191*

Date of issue 11/4

Signed by Mc Pne

Section 65
File No. 181-20
Serial No. 7

D.O. No. G 9343

To

The Govt Advocate

Dear Sir

I am desired to invite yr attn to this office D.O. no G 16881 Cab 181-20-4 of 12th March 1921 re the filing of a Revision petition in the Madras High Court against the decision of Mr R. Bogue I.C.S., and to enquire what action has been taken in the matter

I am also to forward herewith a copy of letter received from the Dist Magte Kistna on the subject and to state that in the circumstances reported in the letter the Advocate General of Madras need not be engaged in the case ~~as the Government of India are not prepared to have him engaged in the case before the Mining Board.~~

11/4

11/4

G. R. S. VI—G/32]

SUBJECT.....

.....

.....

Diary No. of letter replied to 2101

General and Revenue Secretariat

( )

the 191

Date of issue 11/4

Signed by Mr Price

Section 6b

File No. 187-20

Serial No 8

No. 69544

To

The D. M. Kolar Dist

Sir

I am directed to acknowledge the receipt of your letter no R.J.6. 623/20-4 of 6th April 1920 re the filing of a Revision petition in the Madras High Court against the decision of Mr R. Bogue (J.P.). and to state that the action reported to have been taken by you in the matter is approved

I have etc

D. 11/4

11/4

11/4

Orders

30, 31

G.R.S. III—3]

Routine Notes.

[To be used only for notes, requisitions, etc., not intended for permanent record.]

Ramaswamy Iyer that they
should act in
Concert with Each
other. I shall let You
know the result in
due Course.

Yours Sincerely
Ramaswamy Iyer

Recd
18th

D.O. No 5

CHIEF SECRETARY
PROTECTORATE
18 APR 19

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N.B.—Should routine notes be written on small slips, the notes must be copied, or slips pasted on this form.

(40

G. R. S. VI—G/32]

SUBJECT.....

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Diary No. of letter replied to 21691

General and Revenue Secretariat

( )

the 191

Date of issue 20/4

Signed by W. Pr

Section 65

File No. 181-27

Serial No. 10

No. G 9805

To

The District Collector, Kolar

Sir

In continuation of this office letter no. G. 17344 dt 181-20-4 dt 11.4.27 Re the filing of a Revision Petition in the Madras High Court against the decision of Mr R. Bogue I.C.S., I am directed to state that the Govt Advocate has reported that the Revision Petition was filed last month by Mr. C.P. Ramaswamier, Revenue Counsel on behalf of the Secretary of State for General of Madras and that the case will be brought on for hearing before the end of this month over.

P.T.O.

1.1

Mr Ramaswami Iyer will act in concert with
and that of Messrs L. A. Govinda
Raghavier & L. S. Veera Raghavier
of Madras but they will appear
on the card along with Mr
Ramaswamier. who have been
engaged by the Mining Board.

Yours etc

D. M.

for Mr Secy

[illegible]

[illegible]

List of enclosures.

Copied by

Examined by.

Date 6/7/1921.

ACKNOWLEDGMENT. (On Postal Service.)

Name of payee C. P. Ramaswami Aiyar Esq., Advocate General, Madras.

Amount of order (in figures) Rs. 70 As. -

The Government Advocate in Mysore, BANGALORE

Received the sum specified above on

Signature (in ink) of payee, or thumb impression of payee.

Name and address of remitter.

Date-stamp of the office of payment.

Name-stamp of the office of issue.

COUPON. The remitter may write here any communication to the payee

Dated BANGALORE, the 2nd June 1921.

From

The Government Advocate in Mysore,
BANGALORE.

To

The Secretary to the Government of His Highness
the Maharaja of Mysore, Revenue Department.

Sir,

With reference to the Criminal Revision Petition that has been filed in the Madras High Court on behalf of the Mysore Government, I have the honor to state that I have sent a sum of Rs. 70/- (Rupees Seventy only) to Mr. C. P. Ramaswami Aiyar, Advocate General, on the 25th April 1921, for meeting the printing and other charges, and request that arrangements may be kindly made for payment of the same to this Office, together with the Money Order Commission of 12 annas paid therefor, at an early date.

The Postal acknowledgment in the matter is forwarded herewith for information.

I have the honor to be,
Sir,
Your most obedient servant,

Government Advocate.

G.R.S. 28]

Ch **File No.** 191-20

Serial No. 12

Diary No. of letter replied to 25433

Proceedings of the Government of His Highness the Maharaja of Mysore

GENERAL AND REVENUE SECRETARIAT.

( )

the 191

Date of issue 21.6.24

Signed by MRP M.

READ—Letter no. 358 d/6.6.1921 from the Govt Advocate stating that a sum of of Rs 70/- has been sent by money order to mr. C. P. Ramaswamy Iyer, Advocate general of Madras for meeting the printing and ~~ORDER THEREON.—No.~~ other charges in connection with the filing of a Revision Petition in the Madras High Court against the decision of mr: R Boquet J.P in C. no 1 of 1920-21 Govt vs A Lazro: and requesting

P.T. over.

SUBJECT.

GPB—50,000—1-12-12

that arrangements may kindly be made for the payment of the said amount of Rs 70/- together with the M. O. commission of annas twelve to this office

order. N+O 7/21-6-21

The payment of the amount viz, Rs 70-12-0 is sanctioned, the cost being met from 18-2-Law offices-Fees to Advocates and other Law charges in the current years budget.

18/6/21

D. 111. 18/6 Revising.

To

The Comptroller

Govt Advocate

8/6/21

DIARY No. 26385
Ct.
181-20
13

4390

No. 360
Enc. 1

GEN & REV. SECTT.
Rec
18 JUN 1921

Office of the Government Advocate in Mysore,
Dated BANGALORE, the 17th June 1921.

From

The Government Advocate in Mysore,
BANGALORE.

To

The Secretary to the Government of H. H. the
Maharaja of Mysore, Revenue Department.

SECRET. IAT
PROTECTION BRANCH.
20 JUN 1921

Sir,

In forwarding herewith a letter dated the 24th May 1921, received from Mr. C. P. Ramaswami Aiyar, - Advocate-General, Madras, re: the Mysore Government - Criminal Revision Petition entrusted to him, I have the honor to request you to kindly make arrangements to pay to him a sum of Rs. 350/- being his fee for one day for appearing in the said case (for admission), and another sum of Rs. 80/-, for payment of printing charges etc., as desired by him.

I have the honor to be,

Sir,

Your most obedient servant,

Government Advocate.

C. P. RAMASWAMI AIYAR
"The Grove." Cathedral Post.

Enc. 5812

46

Advocate General's Chambers,
HIGH COURT.

Madras May 24, 1921.

To

C. S. Doraiswami Aiyar Esq.,
Government Advocate, Bangalore.

Dear Sir,

Mysore Government Criminal Revision Case.

Will you please send me at your earliest convenience to 'Delisle', Ootacamund, my day fee for appearing in the above case for admission and also a sum of Rs. 80/- for payment of printing charges etc., which have to be paid at the re-opening of the Court?

Yours faithfully,

C P Ramaswami Ayy

G. R. S. VI—G/32]

SUBJECT.....

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Diary No. of letter replied to.....

General and Revenue Secretariat

( )

, *the* 191

Date of issue 9/7

Signed by .....

Section

File No. 187-20

Serial No 14

No. J 133

To

The Government Advocate

Sir,

With reference to your letter no 360 of 17.6.1921, forwarding copy letter of 24.5.1921 from Mr. C. P. Ramasamy Iyer requesting payment of Rs 350/- being his fee for the appearance in the Commissioner's Court in the Election case, together with a sum of Rs 80/- being the printing charges, I am directed to invite reference to Govt. no Camp No 2/etc 181-20-17

over.

21 6 192: Sometime 8 of towards

~~Mr~~ metal charges. I am to enquire what the ~~exact amount of printing~~ total printing charges are, and whether ~~the~~ bills exactly agree with Adv: Cp. ~~and to state that~~ may be required to has any objn to

~~Charges, and to estimate that~~ represent

~~the sum of~~ ~~for~~ general ~~is informed~~ asked

~~to send the Transcript~~ dated bill towards

his fees ~~(notes) & sundry petty~~ ~~charges~~ ~~if~~ ~~the~~ case is disposed of ~~after~~ ~~the~~ ~~case proceedings~~

I have the

7.7.21

for Secy

List of enclosures.

Copied by

Examined by

11897

1472
g
e-
181-20
15

No. 175
Rec. 1

GEN & REV. DEC.
6 - OCT 1921

Office of the Government Advocate in Mysore,
Dated BANGALORE, the 5th October 1921.

From

The Government Advocate in Mysore,
BANGALORE.

To

The Secretary to the Government of H. H.
the Maharaja of Mysore, General Department.

Sir,

With reference to your letter No. J 133/Cts.181-20-11 dated the 9th July 1921, I have the honor to forward herewith for the orders of Government, a copy of letter dated the 28th September 1921, received from Mr. C. P. Ramaswami Aiyar, - - Advocate-General, Madras, in the matter of the Criminal Revision Petition before the Madras High Court, entrusted to him on behalf of the Mysore Government.

I have the honor to be,

Sir,

Your most obedient servant,

Ramaswami

Government Advocate.

Ex. 6 & 15

5

Copy of Letter dated the 28th September 1921, from - Mr. C. P. Ramaswami Iyer, Advocate - General., Madras, to the Government Advocate in Mysore Bangalore.

"With reference to your communication No. 28, dated the 14th of July 1921, and reminder No. 112 of the 31st of August 1921, I have the honor to state that a sum of Rs. 11-12-0 is due for printing charges after crediting the Rs. 70/- sent to me.

"With reference to my fees, it will be noted that the same will be Rs. 350/- per day and that I shall require the services of a Junior to whom I suggest a fee of Rs.250/- may be paid.

"I shall send you a consolidated bill for the amount due after the case is disposed of"

Government Advocate.

12691

GEN & REV.
20 OCT 1921

No. 184
Enc. 2

Office of the Government Advocate in Mysore,
Dated BANGALORE, the 19th October 1921.

From

The Government Advocate in Mysore,
BANGALORE.

To

The Secretary to the Government of H. H.
the Maharaja of Mysore, General Department.

Sir,

In continuation of this office letter No. 175, - dated the 5th October 1921, I have the honor to forward herewith, for the orders of Government, a copy of the - telegram dated the 12th October 1921, and letter dated - the 16th October 1921, received from Mr. C. P. Ramaswami Aiyar, Advocate General, Madras, together with his Bill for Rs. 963-4-0, in connection with the Criminal Revision case entrusted to him on behalf of the Mysore Government.

I have the honor to be,

Sir,

Your most obedient servant,

Government Advocate.

Ex. 52/16

(52

Copy of Telegram No. 18, dated the 12th October 1921, received from the Advocate-General, Nadras.

. . .

"DISCHARGE ORDER MINING CASE SET ASIDE ACCUSED DIRECTED TO BE COMMITTED SESSIONS.

ADVOCATE-GENERAL".

Copy of letter dated the 16th October 1921, from Mr. C. P. Ramaswami Aiyar, Advocate-General, Madras, - to the Government Advocate in Mysore, Bangalore.

. . .

Criminal Revision Case 195 of 1921.

"You are aware that in the above case the High - Court set aside the order of discharge and directed the Justice of the Peace to commit the accused to the High Court.

"Please send at your earliest convenience Rs. 950/- (Rs. 700/- for two day fee for myself and Rs. 250/- being the fee of the Junior) and also Rs. 13-4-0 for balance of outfees as shown in the account enclosed herewith".

Government Advocate.

G.R.S. 28]

Diary No. of letter replied to 1578

File No. 181-20
Serial No. 19

Proceedings of the Government of His Highness the Maharaja of Mysore

GENERAL AND REVENUE SECRETARIAT.
( )

the .191

Date of issue 4/11/21

Signed by Sir C. Abdul Hakim

READ—

G.O. no N and R. Camp Mysore dt 21.6.1921 Sanctioning an amount of Rs. 70-12-0 for meeting the Printing and Stamp charges in connection with the filing of a Revision petition in the

ORDER THEREON.—No.

Madras High Court against the decree of Mr R Boquet J.P in C.no. 1 of 1920-21 Govt Vs A Lazro.

2 Letter no 175 dt 5.10.1921 from the Govt Advocate forwarding a copy of letter dt 28.9.21 from Mr C.P. Ramaswamy Iyer

SUBJECT.

GPB—50,000—1-12-12

5

Stephens Advocate General Madras

~~Stating that the total Translation Stamp and Postage Charges alone came to Rs 1-12-0 out of which a sum of Rs 70-0-0 has been paid and the balance the Respondent~~ ~~or that account stamp Rs 11-12-0~~

Stating that a sum of Rs 11-12-0 was due to him for Translation Stamp and Postage charges ⊙ after deducting Rs 70/- sent to him; that a fee of Rs 350 per day should be paid to him & also a sum of Rs 250/- for engaging the services of a Junior & that a Consolidated bill would be sent after the case is disposed of.

and that his fees per day are Rs 350/- and that of a Junior to aid him are Rs 250/- per day

3. Letter no 184 dt 19.10.1924 from the first Advocate forwarding a Letter from Mr. C. P. Ramasami Iyer claiming a fee of Rs 963-4-0 in connection with the case.

order. G.O. 2270-71.

Govt are pleased to sanction a sum of Rs 963/- as per details noted in the margin, towards the fees of Mr. C. P. Ramasamy Iyer for Conducting the case referred to in G.O. of 21st June 1924, the cost being met from 18-2-Law Officers-Fees to Advocates and other Law charges - in the current year's budget.

~~2. The Comptroller is requested to pay~~

Balance of Postage & charges to be paid —	11-12-0
Telegram charges	1-4-0
Fees to Advocate General for 2 days at Rs 350/- per day	700-0-0
Fees to the Junior	250-00
	963-0-0

cwj 27.10.24

for perusal

To the first Advocate with the bill

a Comptroller

14101

1787/55

DIARY No. 1787

Marikuppam,
3rd November 1921.

Reg. Post

PETITION
C.R.P. No. 181-21

From

Lieut.-Col. R. H. P. Bullen, V.D.,
Superintendent,
Mysore Gold Mining Co., Ltd.
MARIKUPPAM.

To

The Chief Secretary,
Government of Mysore,
BANGALORE.

Sir,

I have the honour to state that in Calendar Case No.1 of 1920-1921, on the file of the Court of the Justice of the Peace, Kolar Gold Fields, one A. Lazaro, the accused, was charged with an offence punishable under Section.477.A. I. P. C., and that the Government of Mysore was moved by myself and the Mine Agent to take action in the matter, that the Justice of the Peace discharged the accused, that on moving the High Court of Madras in Criminal Revision Cases Nos. 195 and 156 of 1921, their Lordships vacated the said order of discharge, and directed the committal of the accused to take his trial at the Criminal Sessions of the High Court on the said charge, that I learn that the next Criminal Sessions begin on the 7th instant, and that Dewan Bahadur L. A. Govindaraghava Iyer, B.A., B.L., and Mr. L.S. Veeraraghava Iyer, B.A., B.L., High Court Vakils, who were retained by us in the High Court, argued the Revision Cases before their Lordships of the High Court, both on behalf of the Mysore Gold Mining Company, Limited, and on behalf of the Honourable the Advocate-General of Madras, retained by the

(56

Government of Mysore, and that inasmuch as the abovementioned Vakils have been fully instructed in the matter which relates mainly to accounts, I request that the conduct of the case at the said Sessions be left in the hands of the said two Vakils in the circumstances stated, and I beg to state that I am prepared and I do hereby undertake and arrange to defray the necessary charges on account of their fees. I may also add here that the said two Vakils have been already spoken to in the matter on behalf of the Company, and that the Crown Prosecutor of Madras is also understood to have expressed his agreeableness to the course proposed herein.

I have the honour to further request that, if necessary, this application be sent to the Government of Madras, with a recommendation that the said two Vakils be appointed as Special Crown Prosecutors for the purpose of conducting the above case and subject to the distinct understanding I have given that their charges are to be arranged and met by me.

I have enclosed a public copy of the order passed by the Honourable High Court.

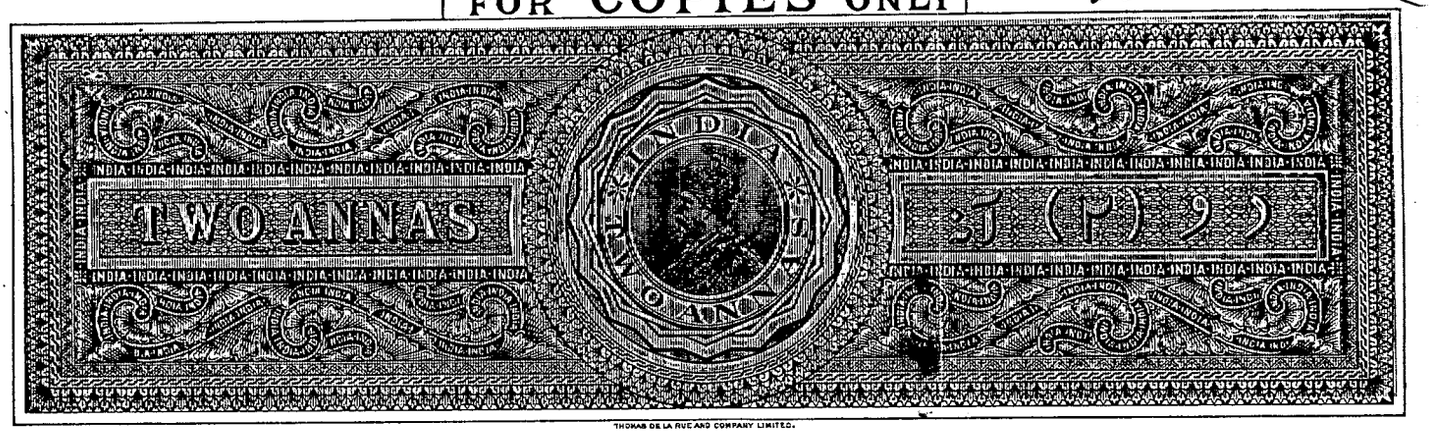
I have the honour to be,

Sir,

Your obedient servant,

SUPERINTENDENT.

FOR COPIES ONLY



THOMAS DE LA RUE AND COMPANY LIMITED.

In The High court of Judicature at Madras.

Wednesday the twelfth day of October

(L.S) One thousand nine hundred andtwenty one.

Present. The Honourable Mr. Justice Oldfield.

and The Honourable Mr. Justice Krishnan

Criminal Revision Case No 195 of 1921

(Criminal Revision Petition No 156 of 1921)

Government of Mysore Petitioner (Complainant)

1 A.Lazaro. 2. R.H.P.Bullen 3. P.J.Crowle Respondents (Accused and P Ws 2 and 3 in C C No 1 of 192C-1921 on the file of the court of the Justice of the Peace Kolar Gold fields).

Petition under sections 435 and 439 of the Code of Criminal Procedure ,1898, praying the High court to revise the order of the court of the Justice of Peace, Kolar Gold Field, Mysore in calendar case No 1 of 192C- 1921.

This case coming on for hearing upon perusing the petition and the order of the lower court and upon hearing the arguments of the Advocate General and Mr. K.Jagannadha Iyer vakil for the petitioner and - -

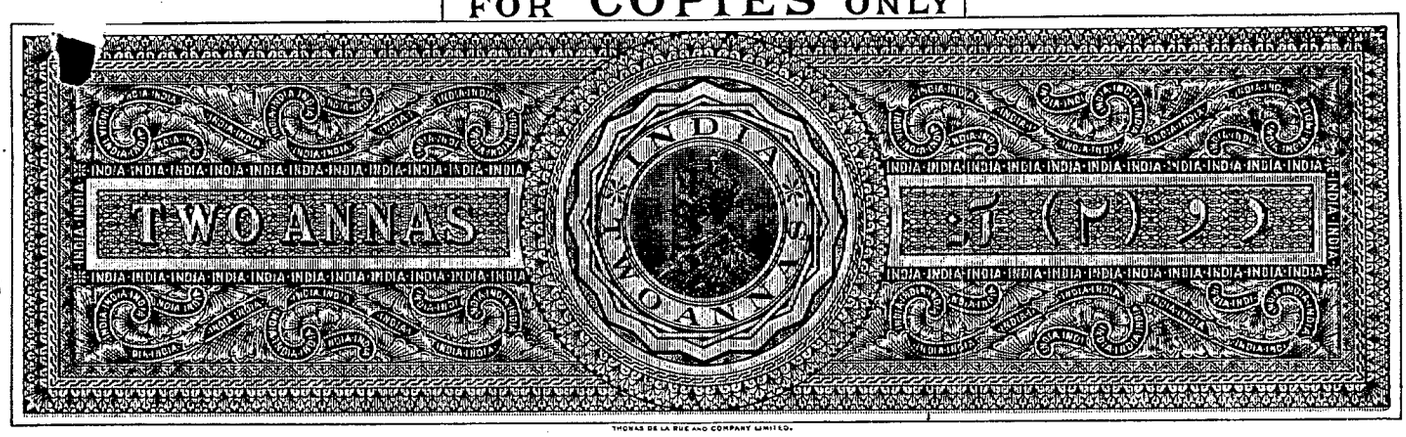
FOR COPIES ONLY

TWO ANNAS

Dr. S.Swaminadhan counsel for the 1st respondent (accused) and of Mr. L.A.Govindaraghava Iyer and Mr. L.S.Veeraraghava Iyer vakils for respondents Nos. 2 and 3 (P Ws 2 and 3) the court made the following Order :- In view of the order we are about to make we deal with this case as shortly as we can.

The accused has been charged with an offence punishable under section 477 a. I P C falsification of three items of accounts, by means of which money was paid to one Mallappah, a contractor at Edgar's shaft of the Mysore Gold Mining company to which he was not entitled. The prosecution attempted to prove this case by showing that the entries in question in Exs. P 10 and P 11 did not correspond, as they should with entries in Ex. P 12, Exs. P 10 and P 11 being accounts kept above ground and Ex. P 12 the account kept below ground, where the contractor actually worked. The defence is that no such correspondence - -

FOR COPIES ONLY



his trial at the Criminal Sessions of this court on a charge of the offence punishable under section 477 (A) I P C in respect of the three items specified in the judgment before us.

Sd. Mir Amiruddin. 15-10-21.

Ag. Dy Registrar. App side

(True copy)

Supdt of copyists

52

Stamp

Folio 577.

Examd 31-X-21

M.S.A. 209/21

Memorandum

C.M.A. 1557/21

(C.R.P. 156/21.)

HIGH COURT, APPELLATE SIDE
MADRAS.

C. P. No. 4370

Application made	12-10	192
Do returned	2	192
Do represented		192
Stamps called for	20/0	192
Do deposited	22-0	192
Additional Stamps called for	—	192
Do deposited		192
Copy ready	24-10-	192
Do delivered	2-11-	1921

Superintendent

G. R. S. VI—G/32]

SUBJECT.....

.....

.....

Diary No. of letter replied to 1787

General and Revenue Secretariat

( )

, the *191* .

Date of issue 11/11/21

Signed by M. Clg.

Section C/7

File No. 181-20

Serial No. 19

No. F. 237

To:

Lieut-col. R.H.P. Bullen V.D.

Superintendent

Mysore Gold Mining Co: Ltd

Marikuppam. K.G.F.

Sd,

With reference to your letter of the 3rd instant requesting that the High Court of Madras be moved to appoint Dewan Bahadur L.A. Gunaratnam Iyer B.A.B.L and Mr. L.S. Veeraraghava Iyer, B.A.B.L. may as Crown Prosecutors

over.

Sessions Cases ~~considered~~
for conducting the ~~Criminal Business~~
referred to in your letter,
cases nos 195 and 196 of 1921 in
the High Court Madras, I am directed
to state that it is not the practice
to allow prosecutions in Courts of
Sessions to be conducted by lawyers
engaged by the complainant. Under
the law prosecutions before the Court
of Sessions are to be conducted by
Public Prosecutors so that the accused
may have the benefit of a fair trial
and the judge, the assistance of an
unbiassed Counsel. Under these
circumstances, Govt do not propose
to move the High Court to allow the
prosecution to be conducted by a
private Vakil as it is not likely that
their application will be granted. There
is no objection to the Crown Prosecutor
receiving instructions from the Vakils
of the Company and of the Company so
desires they may suitably instruct their vakils
in the matter.

List of enclosures.

Copied by

Examined by

Yours faithfully
sd/-
10.11

3/10/11/24

for Secretary